



Attorney's Docket No.: 04873-082001 / 418X

THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : John Mason et al.

Art Unit : 2152

Serial No. : 09/814,879

Examiner : Unknown

Filed : March 22, 2001

Title : METHOD AND APPARATUS FOR IMPLEMENTING ALERTS ON A
BROWSER RUNNING ON A PORTABLE HANDHELD DEVICE

Commissioner for Patents
Washington, D.C. 20231

PETITION UNDER 37 CFR 1.47(A)

On behalf of the joint inventors, John Mason, Richard Watson, and Eugene Joseph, whose declarations are enclosed, we hereby petition for acceptance of this application without the signature of the joint inventor, Arman Nikzad, who has refused to sign the application.

The following facts support this petition:

1. Mr. Nikzad is a joint inventor of this patent application.
2. Maureen Christiano, secretary to the undersigned, has sent two sets of formal papers to Mr. Nikzad, the first set on February 23, 2001, the second on April 10, 2001.
3. Regarding the first set of formal papers, on March 16, 2001, Maureen Christiano left a telephone message on Mr. Nikzad's answering machine as to the status of these papers. Mr. Nikzad never replied to the phone message.
4. On March 22, 2001, Maureen Christiano spoke to Mr. Nikzad's wife, who indicated that the formal papers were not returned because a self-addressed stamped envelope was not included, but that if we sent another set and a self-addressed stamped envelope, she would have her husband sign and return the papers. Maureen Christiano sent another set of papers with a self-addressed stamped envelope on April 10, 2001.

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

Aug. 29, 2001
Date of Deposit

Maureen Christiano
Signature

MAUREEN CHRISTIANO
Typed or Printed Name of Person Signing Certificate

5. As to the second set of papers, on May 10, 2001, Maureen Christiano spoke to Mr. Nikzad's wife who indicated that they had not returned this set of formal papers because they did not have access to a Notary Public. Maureen Christiano indicated that it was not necessary to have the papers notarized and that they should return the papers.

6. On May 22, 2001, Maureen Christiano left a telephone message on Mr. Nikzad's answering machine as to the status of these papers. Neither Mr. Nikzad or his wife replied to the phone message.

7. On June 18, 2001, Maureen Christiano spoke to Mrs. Nikzad who indicated that her husband was out of town indefinitely, but she would try to contact him and that Maureen Christiano should call her back in a week or two.

8. On July 5, 2001, Maureen Christiano spoke to Mrs. Nikzad who indicated that her husband had still not returned, and that Maureen Christiano should try and call her back in another two weeks.

9. Maureen Christiano has left telephone messages on Mr. Nikzad's answering machine on July 24, 2001, August 13, 2001, and August 23, 2001. Neither Mr. Nikzad or his wife have replied to the phone messages.

10. The last known address of Mr. Nikzad is 3144 Plum Court, Escondido, California 92027-6729.

This petition is accompanied by a check for \$130.00 for the petition fee under 37 CFR 1.17(i).

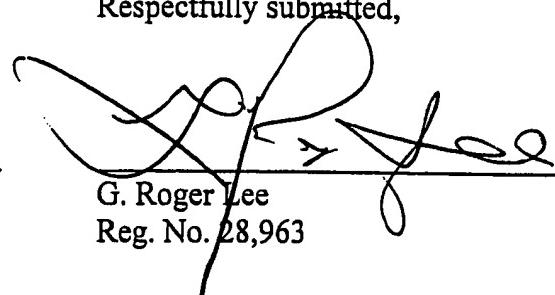
Applicant : John Mason et al.
Serial No. : 09/814,879
Filed : March 22, 2001
Page : 3

Attorney's Docket No.: 04873-082001 / 418X

Please apply any charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: 8/26/01


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OFFICE OF PETITIONS

DECISION ACCORDING
STATUS UNDER
RULE 47(a)

In re Application of
Mason, Watson, Nikzad, and Joseph
Application No.: 09/814,879
Filed: March 22, 2001
Attorney Docket No: 04873-082001
For: METHOD AND APPARATUS FOR IMPLEMENTING
ALERTS ON A BROWSER RUNNING ON A PORTABLE
HANDHELD DEVICE

This is in response to the petition under 37 CFR 1.47(a), filed September 4, 2001.

The petition is GRANTED.

The above-identified application and papers have been reviewed and found in compliance with 37 CFR 1.47(a). This application is hereby accorded Rule 1.47(a) status.

The instant petition was filed in response to a Notice to File Missing Parts of Nonprovisional Application (the "Notice") mailed May 1, 2001. The Notice set forth an extendable period for reply of two months from its mailing date. The Notice advised that filing fees and additional claim fees were due along with a surcharge, declaration in compliance with 37 CFR 1.63 for all named inventors, and substitute drawings. On September 4, 2001, petitioner filed the instant petition, declarations for all named inventors, except inventor Arman Nikzad, and substitute drawings in response to the Notice. Petitioner also remitted the appropriate amounts to cover the filing fee, additional claims fee, and surcharge.

By the instant petition, petitioner has established that inventor Nikzad was presented with a complete copy of the application papers, but that inventor Nikzad has refused to join the application. This application is hereby accorded Rule 1.47(a) status.

As provided in Rule 1.47(c), this Office will forward notice of this application's filing to the non-signing inventor at the address given in the petition. Notice of the filing of this application will also be published in the Official Gazette.

This application will be forwarded to the Office of Initial Patent Examination for further processing.

JMG

In re Application of Mason, Watson, Nikzad, and Joseph
09/824,879

Page 2

Telephone inquiries should be directed to Kenya A. McLaughlin, Petitions Attorney, at (703) 305-0010.

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Supervisory Petitions Examiner
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for Patent Examination Policy